

REMARKS

Status of the claims:

Claims 1-9 have been amended. Claims 1-9 are pending and ready for further action on the merits. No new matter has been added by way of the above amendments. The claims have been amended merely for form. The amendments to the written description are obvious modifications to correct errors that those of skill in the art would recognize as being errors. Reconsideration is respectfully requested in light of the following remarks.

Claim Objections

The Examiner has objected to claims 1, 6, and 7 for having capitalization in the middle of the claims. Applicants have corrected the claims in the above amendments. Withdrawal of the objections is warranted and respectfully requested.

Rejections under 35 USC §112, second paragraph

Claims 1-9 have been rejected under 35 USC §112, second paragraph as being indefinite.

In claim 1, the Examiner asserts that there is insufficient antecedent basis for "the callus". Applicants have provided sufficient antecedent basis for "the callus" in amended claim 1.

Withdrawal of the rejection is warranted and respectfully requested.

Claim 1 recites "the 2-3 mm²", for which the Examiner asserts there is insufficient antecedent basis. Applicants have corrected this in amended claim 1. Withdrawal of the rejection is warranted and respectfully requested.

In claim 1, the Examiner asserts that "naphthalemeacetic acid" is misspelled. Applicants have corrected this to recite "naphthaleneacetic acid". Applicants believe that with this amendment that the rejection has been obviated. Withdrawal of the rejection is warranted and respectfully requested.

In claim 1, the Examiner asserts that "pochloram" is misspelled. Applicants have amended "pochloram" to recite "pichloram", which is well known in the art to mean 4-amino-3,5,6-trichloropicolinic acid. Applicants believe that with this amendment that the rejection has been obviated. Withdrawal of the rejection is respectfully requested.

The Examiner has rejected claim 1 for reciting "1.0-10.0 mg/L of 2,4-D (2,4-dichlorophenoxy acetic acid), pochloram and NAA (naphthaleneacetic acid)" asserting it is unknown if the "1.0-10.0 mg/L" refers to each of the chemicals or all of them together. Applicants have amended claim 1 so that it refers to refers to each of the chemicals. Applicants believe that this

is now unambiguous. Withdrawal of the rejection is warranted and respectfully requested.

In line 8 of claim 1, the Examiner does not know to what "it" refers. Applicants have amended claim 1 to recite "the callus". Applicants believe that with this amendment that the rejection has been obviated. Withdrawal of the rejection is warranted and respectfully requested.

The Examiner asserts that "MS media" should be "MS medium". Applicants have amended the claims accordingly. Applicants believe that with this amendment that the rejection has been obviated. Withdrawal of the rejection is warranted and respectfully requested.

In claim 1, the Examiner asserts that the word "benzo [b] selenienyl acetic acid" is misspelled. Applicants respectfully submit that this term is spelled correctly. Withdrawal of the rejection is warranted and respectfully requested.

The Examiner asserts that it is unknown what is meant by the phrase "by scaling up with 20-50 ton of bioreactor". Applicants have amended claim 1 to unambiguously recite the cultured adventitious root is scaled up in a 20-50 ton bioreactor as a culture vessel. Applicants believe that with this amendment that this phrase can be considered neither vague nor indefinite. Withdrawal of the rejection is warranted and respectfully requested.

The Examiner asserts that claim 1 is confusing because paragraph 1 states "and" whereas paragraph 2 states "any one of". Applicants have amended claim 1 and claims dependent therefrom to recite "or" to provide consistency to the claims. Applicants believe that with this amendment that the claims can no longer be considered confusing. Withdrawal of the rejection is warranted and respectfully requested.

The Examiner asserts that claims 1-9 are confusing because it is unknown if the propagation by tissue culture of ginseng, camphor ginseng and wild ginseng must be done at the same time. Applicants submit that by amending "and" to "or" in the first paragraph of claim 1 that this has been corrected and it is now unambiguous. Withdrawal of the rejection is warranted and respectfully requested.

Regarding claim 2, the Examiner asserts that "under the conditions including" is unclear. Applicants have amended claim 2 to recite "under the conditions wherein". Applicants believe that with this amendment that the rejection has been obviated. Withdrawal of the rejection is respectfully requested.

Regarding claim 2, the Examiner asserts that a concentration cannot be $1/2-3/4$. Applicants have amended claim 2 to recite "ratio of inorganic matter to solvent is a $1/2$ to $3/4$ ". Applicants believe that with this amendment that the

rejection has been obviated. Withdrawal of the rejection is respectfully requested.

Claim 3 recites "cultured explants", for which the Examiner asserts there is insufficient antecedent basis. Applicants have amended claim 3 to provide proper antecedent basis. Applicants believe that with this amendment that the rejection has been obviated. Withdrawal of the rejection is respectfully requested.

Claim 3 recites "the newly formed lateral root", for which the Examiner asserts there is insufficient antecedent basis. Applicants have amended claim 3 to provide proper antecedent basis. Applicants believe that with this amendment that the rejection has been obviated. Withdrawal of the rejection is respectfully requested.

Claim 4 recites "the culturing conditions", for which the Examiner asserts there is insufficient antecedent basis. Applicants have amended claim 4 to provide proper antecedent basis. Applicants believe that with this amendment that the rejection has been obviated. Withdrawal of the rejection is respectfully requested.

Claim 5 recites "the re-seeding step", for which the Examiner asserts there is insufficient antecedent basis. Applicants have amended claim 5 to provide proper antecedent basis. Applicants believe that with this amendment that the

rejection has been obviated. Withdrawal of the rejection is respectfully requested.

Claim 6 has the phrase "such as" in it so the Examiner asserts that the scope of the claim is unknown. Applicants have omitted this phrase from claim 6. Applicants believe that with this amendment that the rejection has been obviated. Withdrawal of the rejection is respectfully requested.

The Examiner asserts that claim 6 is confusing because paragraph 1 states "and" whereas paragraph 2 states "any one of". Applicants have amended the claims to state "or". Applicants believe that with this amendment that the rejection has been obviated. Withdrawal of the rejection is respectfully requested.

In claim 6, the Examiner asserts that in the third paragraph it is unknown if the adventitious roots were treated with all of the growth regulators. Claim 6 has been amended to unambiguously recite how the adventitious roots are treated. Applicants believe that with this amendment that the rejection has been obviated. Withdrawal of the rejection is respectfully requested.

Claim 7 has the phrase "such as" in it so the Examiner asserts that the scope of the claim is unknown. Applicants have omitted this phrase from claim 7. Applicants believe that with

this amendment that the rejection has been obviated. Withdrawal of the rejection is respectfully requested.

In claim 7, the Examiner asserts that in the third paragraph it is unknown if the adventitious roots were treated with all of the growth regulators. Claim 7 has been amended to unambiguously recite how the adventitious roots are treated with the growth regulators. Applicants believe that with this amendment that the rejection has been obviated. Withdrawal of the rejection is warranted and respectfully requested.

Regarding claim 7, the Examiner asserts that it is unknown if the root was washed with water after or before the jasmonic acid treatment. Claim 7 has been amended to recite when the root is washed with water. Applicants believe that with this amendment that the rejection has been obviated. Withdrawal of the rejection is warranted and respectfully requested.

Claim 8 recites "the balloon shape bioreactor", for which the Examiner asserts there is insufficient antecedent basis. Applicants have amended claim 8 to provide sufficient antecedent basis. Applicants believe that with this amendment that the rejection has been obviated. Withdrawal of the rejection is warranted and respectfully requested.

Claim 8 recites "the conical shape bioreactor", for which the Examiner asserts there is insufficient antecedent basis. Applicants have amended claim 8 to provide sufficient antecedent

basis. Applicants believe that with this amendment that the rejection has been obviated. Withdrawal of the rejection is warranted and respectfully requested.

Claim 9 recites "the media which was not added nitrogen", for which the Examiner asserts there is insufficient antecedent basis. Applicants have amended claim 9 to provide sufficient antecedent basis. Applicants believe that with this amendment that the rejection has been obviated. Withdrawal of the rejection is warranted and respectfully requested.

The Examiner asserts that claim 9 is indefinite because it is unknown if the root was transferred for 5-10 days or if the nitrogen was not added for 5-10 days. Applicants have amended claim 9 to unambiguously address this issue. Applicants believe that with this amendment that the rejection has been obviated. Withdrawal of the rejection is warranted and respectfully requested.

With the above remarks and amendments, it is believed that the claims, as they now stand, define patentable subject matter such that passage of the instant invention to allowance is warranted. A Notice to that effect is earnestly solicited.

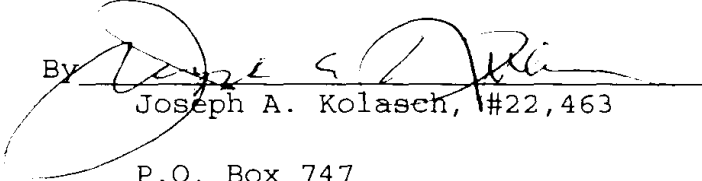
If any questions remain regarding the above matters, please contact Applicant's representative, T. Benjamin Schroeder (Reg. No. 50,990), in the Washington metropolitan area at the phone number listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By


Joseph A. Kolasch, #22,463

85
JAK/TBS/mua

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000